

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THE PROPERTY AND CASUALTY
INITIATIVE, LLC,

Plaintiff,

C.A. No.: 05-10520-RCL

V.

UNITED STATES OF AMERICA,
acting through the National Credit
Union Administration,

Defendant.

**DEFENDANT'S ASSENTED -TO MOTION FOR EXTENSION OF
TIME IN WHICH TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT**

Now comes the defendant, United States of America,¹ and hereby moves this Court for an extension of time **up to and including September 21, 2005**, to answer or otherwise respond to the Complaint. As reasons therefore, the undersigned counsel for the United States asserts that the parties were unsuccessful in reaching a settlement in this case. In fact, settlement discussions ended only four days ago.

The United States is requesting this assented-to extension in order to draft a response to the Complaint. This is the **first time** that the United States is requesting an extension for reasons other than settlement negotiations. All other extensions requested were for the benefit of all parties to this action in an effort to resolve the case. Additionally, the undersigned counsel has a

¹ This motion is not intended to be a responsive pleading. By the filing of this motion, the United States is not waiving any of the procedural, affirmative, or other waivable and non-waivable defenses available to it in the normal course of filing a responsive pleading. The United States intends to raise those defenses when it answers or otherwise responds to the Complaint.

district court trial scheduled for September 12, 2005, to which she must devote her time over the next week.²

WHEREFORE, the United States respectfully requests that this Court allows its motion for an extension of time **up to and including September 21, 2005**, to answer or otherwise respond to the Complaint.

Respectfully submitted,

UNITED STATES OF AMERICA,
By its attorney,

MICHAEL J. SULLIVAN
United States Attorney

Dated: August 31, 2005

By: /s/Gina Walcott-Torres
Gina Walcott-Torres
Assistant U.S. Attorney
John Joseph Moakley U.S. Courthouse
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LOCAL RULE 7.1(A)(2) CERTIFICATION

The undersigned counsel certifies that she conferred with counsel for plaintiff and that he assented to the relief sought herein.

/s/Gina Walcott-Torres
Gina Walcott-Torres
Assistant U.S. Attorney

² The case is Zaki v. United States, C.A. No. 04CV10705RWZ (Zobel, D.J.).